
Appeal Decision

Site visit made on 24 January 2017

by L Gibbons BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 February 2017

Appeal Ref: APP/Y9507/W/16/3162216

Downlands Farm, Ovenhay Copse Lane, Priors Dean, Petersfield GU32 1BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs D Bridger against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/03281/FUL, dated 28 June 2016, was refused by notice dated 29 September 2016.
 - The development proposed is partial conversion of barn to stables and tackroom and the construction of a sandschool and car park area.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The parties refer to policies contained within the Draft South Downs Local Plan 2015 (SDLP). The plan has been the subject of consultation although the plan has not yet been examined. Given the stage the SDLP has reached, I give it little weight.

Background and Main Issue

3. The appeal site has a planning history which includes a change of use from agriculture to a mixed agricultural and equestrian use that was granted planning permission in 1997. This was a personal permission and allowed the keeping of up to 10 horses, with commercial equestrian activities limited to 8 horses. Consent has also been granted for the conversion of an existing barn into holiday accommodation. This resulted in the number of horses to be kept on the holding to a maximum of 4 in relation to the potential number of vehicle movements at the southern part of the appeal site.
4. The main issue is the effect of the proposed development on the tranquillity and natural beauty of the South Downs National Park (SDNP).

Reasons

Tranquillity and natural beauty of the SDNP

5. The appeal site is located within the SDNP in a rural location with only scattered houses and farm buildings in the wider area. The appeal site is in an elevated location with the land falling away to the west and east. Views from the adjoining public access track and within the appeal site are wide ranging across rolling hills and fields, small pockets of trees, and hedgerows.
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6. The proposal involves the partial conversion of a barn into 12 loose boxes and a tack room. It is proposed that the remainder of the unit would continue to house cattle which are kept on the holding. I accept that alternative accommodation for the equestrian use has been considered by the appellants. This includes the use of an existing barn at the southern part of the holding. This was discounted by the appellants in respect of increased traffic movements, and potential conflicts with holiday accommodation users and adjacent residential properties.
7. As part of the scheme, car parking and a sand school are proposed. The 10 car parking spaces would be positioned between the barn and the adjacent track which is a byway. The byway runs from the north to south adjacent to the barn from Manor Farm Lane to the rest of the holding and Five Ash Farm. Access to the parking area would be from Manor Farm Lane. This is a very narrow single lane road with only a few passing places although visibility is fairly good along the road.
8. Saved Policy C12 of the East Hampshire Local Plan Second Review (LPR) 2006 sets out that planning permission will be granted for stables, horse-riding schools and/or riding centres in the countryside providing that it meets a number of criteria. Criterion (e) refers to proposals not harming, by itself or in combination with existing equestrian establishments, the character of the local landscape including the countryside setting of settlements. Emerging Policy SD50 of the SDLP also permits equestrian development in the SDNP, provided that it meets certain criteria. Criterion a) refers to development having a scale and/or intensity of equestrian use which would be compatible with the landscape and its special qualities.
9. The Authority refers to the site as being within an area which has been identified as a high level of tranquillity within the National Park. Tranquillity is one of the seven special qualities of the SDNP. From the information provided by the Authority¹, positive aspects of tranquillity includes little human activity present including a lack of sounds associated with human activity. The appellants refer to the Campaign to Protect Rural England measure of tranquillity, and that it is a human experience in relation to the perception of human intervention in a particular location.
10. The appeal building is located at the northern end of the holding away from the main complex of farm and other buildings. It is some distance away from the other buildings where a certain level of human activity is already present and well established. Overall, the immediate area in which the appeal site is located is very quiet with little human activity present and with few traffic movements. From my observations this is a key feature of the character of the local landscape and natural beauty of the area.
11. I acknowledge that equestrian uses have been present on the wider site since 1997. However, the scheme would result in the displacement of all equestrian activities to the north part of the holding. I accept that the Highways Authority consider there would not be a significant increase in the numbers of vehicles using the lane in highway safety terms. Nevertheless, the proposal would generate additional traffic movements above that of the existing agricultural use of the barn. This is to be balanced against the appellants' submission that as a full livery would be provided this would reduce the

¹ Briefing Note: Tranquillity Mapping Project

number of potential journeys by car. However, no information was provided to demonstrate this would be the case, and I am not persuaded that the availability of full livery would in turn reduce the level of activity associated with the use.

12. Equestrian activity has continued on the site for some time, including the keeping of racehorses. However, I have not been provided with any detailed information to indicate that the level of commercial equestrian activity proposed would be similar to the development permitted in 1997. In any event, the sand school and car park would be a source of more intense activity in what is currently a very quiet location. The sand school was not present in the southern part of the holding. I consider this is significantly different from the previous focus and location of the equestrian use.
13. The sand school and car parking areas would be seen from some parts of the byway close to the appeal site and traffic would need to pass along this part of the byway. The location of these two elements of the scheme would concentrate activity in a single area in close proximity to the public right of way. Due to the fairly isolated location of the barn and general peace and quiet in the area, the movement of additional vehicles, and the activity and noise in this area associated with the commercial use of the stables would be very noticeable. Overall, I consider that the proposal would result in an increase in human and general activity which would be detrimental to the tranquillity of the area.
14. The sand school is proposed to be located to the north of the barn adjacent to the boundary of the appeal site with Manor Farm Lane. There are no proposals for lighting and as such, this would help to retain the dark sky in the area. Native tree and hedgerow planting is proposed for the western boundary of the sand school and over time, this would serve to screen it from any accessible long range views towards the appeal site. The car park would not be seen in any long distance views as it would be screened from the west by the barn. I note that there were no objections to the proposal from the Authority's Landscape officer. The scheme would make use of an existing building and is adjacent to a byway with narrow country lanes and other byways in the area. The appeal site is sufficiently removed from residential properties that the proposal would not have a negative effect on the living conditions of nearby occupants. However, these considerations are not sufficient to outweigh the harm I have found.
15. For the reasons given above, I conclude that the proposed development would cause harm to the tranquillity and natural beauty of the SDNP. It would be in conflict with saved Policy C12 (bullet e) and C13 (bullet c) of the LPR, and policies CP6, CP19, CP20 and CP29 of the East Hampshire Local Plan: Joint Core Strategy (JCS) 2014. These amongst other things seek new development which does not cause harm to local landscape character or the character of the site or its surroundings and conserve or enhance the natural beauty and tranquillity of the SDNP. It would also be contrary to the provisions of the National Planning Policy Framework (the Framework) in respect of conserving landscape and scenic beauty in National Parks.

Other matters

16. One of the appellants has equestrian qualifications and is familiar with horse and animal welfare. I acknowledge that the agricultural operations have

changed to some extent in recent years, particularly in relation to the development of a suckler herd and I accept the reasons for this. At the time of my visit, cattle were present on the site and part of the barn was in very active use in relation to this activity.

17. Interested parties have referred to cattle and horses having different requirements and the location of the two species close together would have a negative effect on the horses, and the business as a consequence. However, I was not provided with detailed information to demonstrate this would be the case and I give this factor little weight. There is also no evidence to suggest that the holding would not be capable of accommodating grazing for the cattle and horses, taking account of the fact that some of the horses would be in the stables for long periods of time.
18. From the evidence before me including the submitted Business Plan, I am satisfied that the proposal would not have a negative effect on the viability of the farm holding. The proposal is also clearly an integral part of the appellants' farm diversification scheme. However, this is not sufficient reason to justify the proposal.
19. The Authority refers to the potential need for a dwelling to accommodate a member of staff taking care of the horses on a full-time basis, and that it may be difficult to resist this if the scheme was allowed. The appellants would be able to access the stables from the southern part of the holding where they live. This situation would not be very different from the current position of managing the cattle albeit the appellants acknowledge that there may be a need for a yard manager in the future. However, the scheme before me does not seek to provide residential accommodation and does not weigh against the proposal. Any application for residential development or accommodation associated with the holding must be treated on its merits at that time.
20. Other parties refer to the holding being subject to enforcement action and the planning history of the site. However, that has no bearing on the development now proposed.
21. I have been referred to the potential for additional features related to equestrian development to be provided within the holding, for example field shelters and fences. I note that the previous planning history has meant that a number of permitted development rights have been removed from the wider holding. Were other matters acceptable, I consider that these factors could be dealt with by means of suitable conditions.

Conclusion

22. The Framework identifies three dimensions to sustainable development – economic, social and environmental. The Framework makes it clear that the three roles the planning system is required to perform in respect of sustainable development should not be undertaken in isolation because they are mutually dependent.
23. There would be some benefit in locating the two operations together in terms of managing the farm holding, and the proposal would contribute to the diversity of the farm's income. These factors weigh in favour of the appeal scheme. I accept that an equestrian use is one method by which people can experience the tranquillity the SDNP. The proposal would increase the

opportunities for recreation in the SDNP. However, this is to be balanced against the harm caused to the character of the area in terms of the effect on tranquillity.

24. The policies of the Framework in respect of the National Park, whilst not necessarily restricting development including small scale schemes, does indicate that great weight should be given to conserving landscape and scenic beauty in National Parks. The adverse impact on the tranquillity and natural beauty of the SDNP would significantly and demonstrably outweigh the benefits of the scheme. The scheme would not be sustainable development for which there is a presumption in favour.
25. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L Gibbons

INSPECTOR